

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

INTER-OFFICE COMMUNICATIONS

TO	<u>Personnel Policy Manual Holders</u>	DATE	<u>September 1, 2015</u>
FROM	<u>Patty Garcia</u> Director, Human Resources Division	SUBJECT	<u>September 2015</u> Personnel Manual Update

Please update your Personnel Manual as follows effective September 1, 2015.

NUMERICAL INDEX:

Remove the existing Numerical Index dated August 1, 2015.

Insert the revised [Numerical Index](#) dated September 1, 2015.

EXECUTIVE DIRECTIVES:

PD-45, “Workers’ Compensation and Return to Work Program” (rev. 4)

1. Several detailed procedures relating only to a human resources representative’s responsibilities that are not relevant to another employee or supervisor were deleted; these procedures will be covered in the Human Resources Representatives’ Road Map for PD-45.
2. References to the Texas Workers’ Compensation Commission (TWCC) were changed to Texas Department of Insurance, Division of Workers’ Compensation (TDI-DWC).
3. Updated and revised authority section.
4. Revised policy section to reflect EEO compliance.
5. Added definitions for As Soon As Practicable, Business Hours, and Release to Return to Work.
6. Revised definitions of Common Use Area, Communicable Disease, Disability, Health Care Provider, Health Care Provider’s Statement, and Workday.
7. Definitions of Temporary Alternate Duty Assignment (Correctional) and Temporary Modified Duty Assignment (Non-Correctional) were combined into one definition, Temporary Duty Assignment, to eliminate redundancy. All references thereafter were revised accordingly.
8. Changed Position Description to Job Description and revised the language.
9. All references to workdays were revised from “24 hours” to “one workday.”
10. Added language to the Discussion section regarding consequences for non-compliance with established document requirements.
11. Discussion, Section IV.A: Language deleted at the direction of the State Office of Risk Management (SORM); an employee can no longer be administratively separated for rejecting a bona fide offer for a temporary duty assignment, whether the employee is on FML or not.
12. Procedures, Section I: Added language to include reimbursement for any employee involved in an offender altercation; revised reimbursement cap from \$250 to \$500 for eyeglasses and eye exam and \$1000 for repair or replacement of hearing aids.
13. Section II.C.2: Included related “illness” in language regarding incidents that qualify as exposure; revised all references accordingly.

14. Section III.A: Included documenting the employee's elections regarding use of accrued leave.
15. Section III.A.1: Instructs the supervisor to complete the PERS 298-2, Part A and Part B, and forward to the human resources representative, if the employee is unable to complete the form or unable to designate someone on the employee's behalf.
16. Section III.A.2: Added language that changes to elections regarding use of accrued leave only affect subsequent periods of absence resulting from the work-related injury or illness occurring after the employee returns to work and will require the submission of a new and additional PERS 298-3.
17. Section III.A.3: Added examples for clarification.
18. Section III.A.4: Revised to include the guidelines and instructions for the Workers' Compensation Health Care Network (HCN).
19. Section III.A.5: TWCC 73 form changed to DWC FORM-73; subsequent references revised accordingly.
20. Section III.A.5.a(2): Included examples of a change in treatment or work restrictions.
21. Section III.A.5.b: Instructs an employee to hand carry or fax the DWC FORM-73 or health care provider's statement to the human resources representative in accordance with the guidelines in PD-46, "Medical and Parental Leave."
22. Section III.A.7: New section outlining return to work procedures; language deleted concerning specific return to work stipulations.
23. Section III.B: Section was reorganized for clarity regarding employee submission of the PERS 298 packet. References and procedures relating to an employee refusing to file a workers' compensation claim were deleted. SORM requires state agencies to complete the PERS 298 packet regardless of whether an employee is filing a claim. In addition, the PERS 574, Refusal to File a Workers' Compensation Claim was removed as an attachment and its use will be discontinued. Subsequent references revised accordingly.
24. Section III.B.5: Revised to reflect that a supervisor shall allow an employee to return to work if the employee has been off more than three consecutive workdays and provides a release to return to work.
25. Section III.B.6: Deleted language requiring the supervisor to maintain weekly communication with the employee during the recuperation period.
26. Section III.C: Simplified the employee's, supervisor's, and human resources representative's responsibilities regarding work-related injuries or illnesses.
27. Section III.C.1.e: Added instructions to communicate with the employee the importance of completing the PERS 298-3.
28. Section III.C.1.g: Transferred the responsibility to communicate with the injured employee on a regular basis during the recuperation period from the employee's supervisor to the human resources representative.
29. Section III.C.2.b: Added language that the human resources representative shall provide required documentation to the safety officer within one workday.
30. Section III.C.2.c: Added language that the human resources representative shall submit via fax, email, or hand delivery the appropriate documentation to the Workers' Compensation Program Area and SORM within one workday after the work-related injury or illness becomes reportable.
31. Section III.C.2.d: Revised instructions for the human resources representative to immediately contact the employee within one workday to avoid automatic "Election 1" by SORM, if parts A and B of the PERS 298-3 were not submitted with the PERS 298 packet.

32. Section III.C.2.e(6): Included the receipt of donated sick leave in the list of reportable changes in status.
33. Section III.C.3: Added instructions for the TDCJ unit or departmental human resources representative to coordinate with the Windham School District (WSD) human resources department to ensure that the guidelines previously mentioned in Procedures, Section III.C.2 are followed. Because the WSD human resources department forwards workers' compensation forms to the HR Workers' Compensation Program Area, the specific instructions for WSD were removed from policy to eliminate redundancy.
34. Section III.C.4: Revised language concerning employees attending pre-service or in-service training and removed repetitive and unnecessary instruction, since the human resource representative will follow the same guidelines indicated in Procedures, Section III.C.2.
35. Section III.C.5: Added information regarding the notification being sent to the Workers' Compensation Program Area and the employee via first class mail if the employee's claim is denied.
36. Section III.D: Workers' Compensation Program Area responsibilities have changed; therefore, section is no longer necessary and has been removed.
37. Section III.E: Return to Work section has been removed, since the information is discussed in Section IV.
38. Section IV.A.4: Revised to address an employee's loss of additional time.
39. Section IV.C.3 and 4: The human resources representative now faxes a copy of the signed PERS 376 to the SORM, either acknowledging acceptance, rejection, or failure to respond to the temporary alternate or modified duty assignment.
40. Section IV.C.4.a and b: Deleted language regarding procedures involving employees' rejection of bona fide temporary duty assignments.
41. Section IV.D.4: Added language requiring an employee to report a change in status as soon as practicable before returning to work.
42. Attachment B: Added the workers' compensation cover letter.
43. Attachment C, PERS 298, Employee's Report Packet for Workers' Compensation:
 - PERS 298-1, C-80 Election Combinations: Revised regarding short term disability and use of sick leave. Updated procedures regarding use of extended sick leave, sick leave pool, and donated sick leave. Also removed the 6% requirement for mandatory retirement contribution in the worker's compensation section.
 - PERS 298-2, Renamed as Employee Report of Injury or Illness: Added field for date of birth, gender, supervisor's social security number, vacation balance on the date of injury, and amount of vacation time elected to be used, and email address.
 - PERS 298-3, Employee's Election Regarding Use of Sick and Vacation Leave C-80: Added a section in Part A for electing monthly temporary income benefits. In Part B, revised to include that holiday and compensatory time shall be used within one year from the end of the work cycle in which the time was accrued. Correctional staff now have two years from the end of the work cycle in which the time was accrued to use compensatory time. The signature line for supervisors or human resources representative has been removed in Part B.
 - PERS 298-5, Employee's Acknowledgement of Responsibilities Relating to Work-Related Injury or Illness: A section has been added for the human resources representative to document the time of advisement, date, and place of the employee's refusal to sign.

- The “myMatrixx” Workers’ Compensation Prescription Information form and the IMO Med-Select Network, Employee Network Notification Packet was added to the Employee’s Report Packet for Workers’ Compensation in accordance with the HCN procedures in the directive. This includes the PERS 607, Workers’ Compensation Network Acknowledgement.
44. Attachment D, PERS 299, Supervisor’s Report Packet for Workers’ Compensation:
- PERS 299-1, Supervisor’s Guidelines for Workers’ Compensation: Revised language in accordance with current procedures.
 - PERS 299-3, Supplemental Worksheet: Reformatted. No longer includes separate sections for the supervisor and the human resources representative.
45. Attachment E, PERS 574, Refusal to File a Workers’ Compensation Claim: Deleted. Revised to include updated Return to Work Program Pooled areas.
46. Attachment F, PERS 376, Offer of Temporary Alternate or Modified Duty Assignment: Revised procedures relating to the rejection of a temporary assignment at the request of SORM. The possibility of being separated from employment for rejecting a temporary duty assignment has been removed. Added “reason for offer rejection.”
47. Grammatical and formatting updates.

Remove the existing PD-45.

Insert the revised [PD-45](#).

PD-46, “Medical and Parental Leave” (rev. 6)

1. Overall: Revised, as required, instances of certification to be specifically “family medical leave” (FML) certification; FML “event” to FML “reason;” “servicemember” to refer to “military member;” and “ADA” coordinator to “accommodation” coordinator.
2. Authority: Added Texas Government Code §§ 493-001 and 493.006(b).
3. Definitions: Added definitions for “Department of Labor (DOL) Forms,” which was moved from Section II.C.1.b and includes the new WH-385-V form, and “Educational Activities.”
4. Definitions: Revised definitions of “Applicable Leave,” “As Soon as Practicable,” “Child,” “FML Certification,” “Health Care Provider’s Statement,” “Immediate Family,” “Informal Marriage,” “In Loco Parentis,” “Military Member,” “Physically Worked,” “Release to Return to Work,” “Serious Health Condition,” “Serious Injury or Illness,” “Sick Leave,” and “Workday.”
5. Discussion: Included reference to procedures for donating sick leave and added a disciplinary sanction statement.
6. Procedures, Part A, Section I: Added “for a qualified reason” to describe the leave; and replaced “husband and wife” with “married couple.”
7. Part A, Section I.A.5: Revised a qualifying exigency, which can now also arise from parental care, additional activities arising from active duty that the warden or department head and the employee agree that such activity shall qualify as an exigency, and to care for a military member with a serious injury or illness if the employee is a spouse, child, parent, or next of kin of the military member.
8. Part A, Section I.B: Revised Eligibility for Family Medical Leave Entitlement by deleting “Require leave for an FML event.”
9. Part A, Section I.D: Revised to clarify use of applicable leave.

10. Part A, Section II.A: Revised statement of sanctions if employee fails to comply with procedures, if the employee has returned to work or is still in a leave status.
11. Part A, Section II.A.4: Revised to define the employee responsibility concerning the PERS 301, and providing a PERS 24 with the supporting FML certification or proof of event.
12. Part A, Section II.C.1.a(1): Revised to include that the employee's signature shall be obtained, or the PERS 301 shall be mailed via first class mail, within five workdays of the employee's initial request for leave.
13. Part A, Section II.C.1.b(1): Revised to include that the employee's signature shall be obtained, or the PERS 301 shall be mailed via first class mail, within five workdays of the employee's initial request for leave. Moved DOL certification forms under definitions.
14. Part A, Section II.C.1.c: Revised to include employee instructions and sanctions for FML certification notification, completion, and deadlines.
15. Part A, Section II.C.2: Revised to include that human resources representative shall have five workdays to complete and provide the PERS 594 to the employee.
16. Part A, Section II.C.3: Revised to clarify that notification by the human resources representative for FML recertification may be done verbally or in writing by providing a PERS 592.
17. Part A, Section II.C.4: Deleted specific details of intermittent FML.
18. Part A, Section II.C.5: Revised to discuss an "FML eligible" employee, not an employee "eligible for FML."
19. Part B, Section III: Replaced "father" with "parent." Revised to clarify employee options for parental leave.
20. Part B, Section IV.C: Revised to remove that an HCPS shall be used as support for all of the state parental leave, but to support the use of sick leave.
21. Part C, Section III.B: Revised to discuss use of "accrued" sick leave for pregnancy and childbirth. Replaced "father" with "parent."
22. Part C, Section III.C: Revised to remove Parent-Teacher Conferences and add educational activities, pursuant to changes resulting from HB 480 of the 83rd Legislative Session. An employee shall notify the employee's supervisor in sufficient time to arrange for "adequate staffing" rather than a "replacement."
23. Part C, Section IV.C: Revised to specify sanctions for an employee that fails to follow procedures relating to providing a timely HCPS.
24. Part C, Section IV.C.1: Revised to indicate that the HCPS may be certified for a period of absence up to "six months" rather than "90 calendar days."
25. Part C, Section VI.A: Clarified that an employee shall provide a PERS 24 and an HCPS within five workdays of the employee's initial request for leave.
26. Part C, Section VI.A.2: Revised to clarify that an HCPS must be received by the human resources representative within 15 "calendar" days.
27. Part D, Section II: Revised to clarify that patterns of unscheduled use of leave based on claims of illness or injury during the previous three-month period may be evidence of sick leave misuse.
28. Part E: Added a new Part regarding the procedures for the donation of sick leave hours as a result of

HB 1771, 84th Legislative Session.

29. Part F, Section II.D: Revised to include donated sick leave and any applicable administrative leave.
30. Part F, Section III.A: Revised to include the exhaustion of “donated sick” leave.
31. Part G, Section I.B.1: Revised to specify the maximum period an employee can “request” for each category of LWOP.
32. Part G, Section I.B.4: Added instructions for returning to work with respect to the employee’s card schedule.
33. Part G, Section I.B.6-7: Reference to the employee’s monthly TDCJ Employee Time Report has been removed.
34. Part G, Section I.B.8: Removed reference to PD-27, Employment Status Pending Resolution of Criminal Charges or Protective Orders.”
35. Part G, Section II: Revised to include sanctions for an employee not providing a timely HCPS.
36. Part G, Section II.A.1.b: Revised to include that the HCPS may indicate a period of leave up to six months.
37. Part G, Section II.D: Revised to clarify “days” as “workdays.”
38. Part G, Section IV: Revised to clarify calculations for LWOP-Medical.
39. Part G, Section IV.A.6: Added reference to sanctions for an employee that fails to provide required documentation for LWOP-Medical.
40. Part G, Section IV.A.7: Added reference to sanctions if the completed certification or proof of event is not received by the required date.
41. Part G, Section IV.B.3: Revised to include contacting the Leaves Program Area via the HR_SEPARATE e-form.
42. Part G, Section V.A: Revised to include specification of sanctions if the employee has returned to work, or if the employee is still in a leave status.
43. Part G, Section V.B: Revised to clarify “180 calendar day limit.”
44. Part H, Section I.B: Revised to instruct the period of time an employee has to submit an FML certification, HCPS, or proof of event supporting a period of absence if not previously provided.
45. Part H, Section IV.A.1: Revised to include “a Salary Schedule C Office of the Inspector General employee.”
46. Part H, Section IV.A.2.c: Included an additional option for wardens and department heads to elect a temporary change in work assignments by allowing an employee to work in their current position with restrictions.
47. Attachment A, PERS 301, Notification of Medical and Family Leave: Revised to include (1) clarification of a qualifying exigency arising due to a spouse, child, or parent on “covered” active duty or called to “a covered” active duty status; (2) the deadline date for returning the certification for leave; (3) available leave balances; (4) added statement regarding the employee’s responsibility for communicating with the human resources representative to determine when LWOP will exhaust; (5) general provisions on page 2 was revised to instruct the employee to communicate with supervisor if leave changes; (6) added language that unless otherwise instructed by the employee, donated sick

- leave will be applied; and (7) added notification of an employee's responsibility to pay any required tobacco usage premiums during any period of LWOP-FML.
48. Attachment B, PERS 24, TDCJ Leave Request: Deleted "Pay Period" entries. Added Donated Sick Leave in Section I. Added Federal Declared Emergency Active Duty in Section II, as well as Reserve Law Enforcement Training, and Service Dog Training.
 49. Attachment C, PERS 592, Request for Additional Information or Recertification: Added statement that leave may be denied and the employee disciplined, if returned to work, or separated, if still in a leave status, if the requested information is not furnished.
 50. Attachment D, DOL Form WH-380-E: Added *Genetic Information Nondiscrimination Act* (GINA) Statement.
 51. Attachment E, DOL Form WH-380-F: Added GINA statement.
 52. Attachment H, DOL Form WH-385-V: New DOL form.
 53. Attachment J, PERS 594, Designation Notice: Added a place for the human resources representative to record the date mailed.
 54. Attachment K, PERS 604, Guidelines for a Pattern of Misuse of Sick Leave: Revised the example regarding patterns of absences that should *not* support evidence of misuse to include, "Absences not occurring in a pattern during the previous three-month period."
 55. Attachment L, PERS 499, Notification of Unscheduled Use of Leave Pattern: Revised referenced time period from "three to six months" to "three months;" and removed reference that a statement must be provided to your supervisor within 15 calendar days of returning to work, if the absence is for three consecutive workdays or less.
 56. Attachment M, PERS 637, Sick Leave Donation: New form.
 57. Grammatical and formatting updates were made.

Remove the existing PD-46.

Insert the revised [PD-46](#).

PD-48, "Unemployment Compensation" (rev. 6)

1. Throughout the directive all references to "Labor Relations Section" were replaced with "Employee Relations."
2. Authority: Revised to include Tex. Gov't Code citations §§ 493.001 and 493.006(b).
3. Section I.B: Replaced "TWC Workforce Center" with "Texas Workforce Solutions office."
4. Grammatical and formatting updates were made.

Remove the existing PD-48.

Insert the revised [PD-48](#).

PD-49, "Leaves Other than Medical and Parental" (rev. 11)

1. Added definitions for Correctional Career Position and Work Cycle.
2. Revised definitions for Child, In Loco Parentis, Informal Marriage, and Workday.

3. Revised Discussion statement to comply with Internal Audit 1207; added language regarding consequences for non-compliance with established document requirements.
4. Part A, Section I.A.2.a: Removed the Texas State Agencies' Fiscal Year Holiday Schedule as an attachment and referenced the TDCJ website address where it can be found.
5. Part A, Section I.A.2.b.(2)(c): Added language that a full-time employee accrues holiday leave in proportion to the employee's number of regularly scheduled hours in a workday.
6. Part A, Section I.A.2.c: Revised language regarding holiday leave expiring if not taken within one year from the end of the work cycle in which the time was accrued.
7. Part A, Section I.A.3: Added language regarding the time frame that compensatory leave expires for an employee in a correctional career position, pursuant to changes resulting from HB 988 of the 82nd Legislative Session.
8. Part A, Section I.B.1.c: Added guidelines for accruing and using compensatory leave based on the job position held by the employee when the time is accrued. Added guidelines for managing accrual balances of an employee changing job positions into or out of a correctional career position to a non-correctional career position or vice versa.
9. Part A, Section I.B.2.c: Removed the PERS 500, In Lieu of Holiday Request, as an attachment and referenced the TDCJ website address where it can be found.
10. Part B, Procedures, Section I.B: Clarified the guidelines for accruing administrative leave.
11. Part B, Section II.B.1: Added language clarifying procedures when employees report to work during times when offices are officially closed.
12. Part B, Section V.A.3: Per HB 489 of the 83rd Legislative Session, replaced "assistance animal" with "service animal."
13. Part B, Section V.A.7.a and b: Replaced occurrences of "working day" with "workday."
14. Part B, Section V.A.9: Revised the reference from "120 hours" of administrative leave for military training to "15 workdays." The 15 workday entitlement for military training is not based on the employee's schedule card or an 8-hour workday.
15. Part B, Section V.A.11: Added language regarding the entitlement for administrative leave up to five workdays every two years to complete continuing education training for reserve law enforcement officers in response to SB 443 of the 83rd Legislative Session.
16. Part B, Section V.C.2: Modified the instructions for approving administrative leave for Court Appointed Special Advocates (CASA). Approval no longer requires the submission of a decision memorandum to the executive director.
17. Part C, Section IV.A.1: Clarified that LWOP-Other is limited to thirty calendar days within a rolling 12-month period.
18. Part C, Procedures, Section IV.B.3: Modified procedures for using LWOP-Other.
19. Attachment A, PERS 24, TDCJ Leave Request, Section II: Leave With Pay (Non-Accrued) has been modified to include Federal Declared Emergency Active Duty and Reserve Law Enforcement Training as new categories. Revised Assistance Dog Training to Service Dog Training.
20. Attachment B: Modified the PERS 571, The TexaSaver 401(k) and 457 Plans Lump Sum Deferral Enrollment Form.
21. Grammatical and formatting changes.

Remove the existing PD-49.

Insert the revised [PD-49](#).

PD-71, “Selection System Procedures” (rev. 12)

1. Overall: All references to “dual supervision position” were changed to “dual supervised position” throughout the directive and attachments.
2. Overall: All references to “position description” were changed to “job description” throughout the directive and attachments.
3. Overall: All references to “position posting” were changed to “job posting” throughout the directive and attachments.
4. Overall: Updated salary group references.
5. Authority: Added Texas Government Code §§ 493.001, 493.006(b), 656.002, 657.003, 657.0045-.0047, 672.002, 672.004, 812.205; *immigration Reform and Control Act of 1986*, *Simpson-Mazzoli Act*, 8 USC § 1101; *Uniformed Services Employment and Reemployment Rights Act*, 38 USC §§ 4301-4334; 42 U.S.C. §§ 12101-12117; *Civil Rights Act of 1991*. Revised Texas Labor Code §§ 21.001-.556 from Chapter 21; 42 U.S.C. §§ 2000e-17, and 42 U.S.C. §§ 1981-1983. Deleted American Correctional Association Standards 4-4053, 4-4054, 4-4083, 4-4085.
6. Applicability: Included PD-72, “Employee Salary Administration” and removed reference to PD/POP-1.1.7, “Parole Officer Career Ladder.”
7. Definitions: Added definitions for Administrative Supervision, Foster Child Employment Preference, Military Occupational Specialty Code (as a result of SB 389, 84th Legislative Session), Non-Targeted Career Position, Supervisor of Correctional Officers, Targeted Career Position, Technical Supervision, Uniformed Services, and Veteran’s Liaison (as a result of SB 805, 84th Legislative Session).
8. Definitions: Revised definitions of Americans with Disabilities Act, Dual Supervised Position, Inside Applicant, Job Description, Job Posting, Lateral Transfer, Outside Applicant, Promotion, Veteran’s Employment Preference (as a result of SB 805, 84th Legislative Session), and Voluntary Demotion.
9. Section I.B.2.b: Revised to include a Parole Division designee as the selection reviewer for dual supervised positions. Added exception noting that the selection reviewer for dual supervised positions in the Administrative Review and Risk Management Division; Rehabilitation Programs Division; and Manufacturing and Logistics Division shall be the appropriate department head for technical supervision. This revision eliminates the need for the submission of DMs by these divisions to request a deviation from PD-71 procedures.
10. Section II.B.3: Revised to include that the Request to Fill eform shall specify whether the position is designated as a veteran’s position. Division directors shall coordinate with the Selections Program Area for designating a position as a veteran’s position. Language added as a result of SB 805, 84th Legislative Session.
11. Section II.B.7: Revised to include that the Request to Fill eform shall specify whether a job-related test is to be used and that the test is written, oral, demonstration or any combination thereof.
12. Section III.B: Revised the TDCJ website address to www.tdcj.texas.gov.
13. Section III.C: Added language that additional questions from veteran applicants may be directed to the TDCJ veteran’s liaison.
14. Section V.A.1.d: Added language that applicants, including current employees applying for other agency positions, may submit an employment application through the Texas Workforce Commission’s online system, as a result of HB 426, 84th Legislative Session.

15. Section VII.A: The PERS 282, TDCJ Employment Application Supplement, and the PERS 598, Employment Supplement for Agency Applicants, are no longer detached from the application packet prior to the minimum qualification screening process. All documents retained with the application, which now includes the supplemental applications, can be considered by any selection process participant.
16. Section VII.D.3: Added language that if the personnel accounting system screen shows no final payroll status code on an applicant who is a former employee, the minimum qualifications screener shall contact the Selections clearance area at the Human Resources Division headquarters. Also revised to include that the contact person listed on the job posting shall fax the entire application, EEO sheet, and applicable supplement(s) to the Selections clearance area of the HR Division headquarters, if an applicant is a former employee whose final payroll status code was a DS067 (termination for cause).
17. Sections VII.D.5, X.B, and XIV.B.2: Added language to ensure that, throughout the application process, an applicant who is a former employee that separated from the TDCJ in order to enter the uniformed services, and returned to the TDCJ in accordance with specified time limits, shall have the time period the applicant was separated from employment in order to perform uniformed services duties count as accrued state service time.
18. Sections VIII.B, XIV.B.5, XV.A.9, and XXVIII: Added reference to foster child employment preference.
19. Section IX: Added a process of veteran appointments that TDCJ may hire or appoint for an open position an individual entitled to veteran's employment preference without announcing or advertising the position, if TDCJ uses the TWC automated labor exchange system, as a result of SB 805, 84th Legislative Session.
20. Section X: Revised document screening procedures for applicants who qualify for veteran's employment preference, as a result of SB 805, 84th Legislative Session.
21. Section XIII.D: Added the reference of Section IX of this directive for exceptions of appointed positions.
22. Section XIV.B.5: Added language that if an applicant entitled to foster child employment preference is equally qualified with an applicant entitled to veteran's employment preference, the applicant entitled to foster child employment preference shall be selected for the position. Also, if all factors taken into consideration are equal, and more than one applicant is eligible for the veteran's employment preference, the applicants shall be selected in the following order of priority: (1) a veteran with a disability; (2) a veteran; (3) a veteran's surviving spouse who has not remarried; and (4) an orphan of a veteran if the veteran was killed while on active duty (as a result of SB 805, 84th Legislative Session).
23. Section XIV.B.6: Added factors for consideration in selecting an ERS retiree for a position with the TDCJ.
24. Section XVII.A: Revised to include established salary rate and actual salary rate to the clearance verification items for an inside applicant.
25. Section XVII.A.2.a: Added parole officer and unit commissary positions to the list of positions that require background checks for selected applicants.
26. Section XVII.C.1: Revised to reflect that an ERS retiree must be separated from state employment for 90 calendar days before being eligible for reemployment.
27. Section XVII.C.3: Added language to clarify that the Employment Section shall verify that approval certification was obtained by the appropriate division director, if the selected applicant is an ERS retiree.

28. Section XVIII: Added the Parole Division Parole Officer Training Academy (POTA) wherever the Pre-Service Training Academy (PSTA) is referenced; clarified the parties responsible for scheduling of PSTA or POTA.
29. Section XVIII.A.1.b: Included food service and laundry managers in the list of positions that require firearms qualification and participation in chemical agent and defensive tactics training during CID's in-service Training.
30. Section XVIII.A.2: Revised to reflect that any request for an exception to the PSTA or POTA attendance requirement shall be submitted in writing from the selection reviewer to the CID director or Parole Division director and coordinated through the Human Resources Division director.
31. Section XVIII.C: Reference of "ADA Coordinator" was changed to "accommodation coordinator" throughout the directive.
32. Section XIX: Revised language to reflect the human resources representative acting as the contact person shall announce the selected applicant, enter the payroll status change, and enter the Authority to Fill (ATFL) code.
33. Section XXVIII: Removed reference to veteran's employment preference.
34. Section XXIX: Added language that written complaints from applicants entitled to veteran's employment preference are now filed with the executive director as a result of SB 805, 84th Legislative Session.
35. Attachment A: Revised to include a column indicating veteran's employment preference.
36. Attachment D: Revised to include a column indicating veteran's employment preference.
37. Attachment E: Added foster child employment preference to the rationale for selection.
38. Attachment F: Updated with procedures for foster child and veteran's employment preference.
39. Attachment G:
 - Section III, IV & VI: Revised to include POTA.
 - Section V.A: Revised to reflect the current requirements to the Form I-9, Employment Eligibility Verification form.
 - Section V.B: Added language noting that the applicant's health insurance shall not begin until the first day of the month following 60 calendar days of employment and insurance information can be reviewed on either the TDCJ or ERS website.
 - Section V.C: New section added to inform applicants of certain items that are not allowed on a unit.
 - Added signature of the employee making offer.
40. Attachment I: Added the application supplement and the email message from the division director regarding the selection of an ERS retiree to the checklist for selection packets.
41. Grammatical revisions and language updates were made.

Remove the existing PD-71.

Insert the revised [PD-71](#).

PD-73, "Selection Criteria for Correctional Officer Applicants" (rev. 12)

1. Overall: References to TDCJ CO or TDCJ supervisor of COs was replaced with CCP (correctional career position) throughout the directive.

2. Authority: Added references to Texas Government Code §§ 493.001, 493.006(b), 672.002, 672.004; and 28 C.F.R. § 115.16(a-h). Removed reference to American Correctional Association Standards.
3. Definitions: Added definitions for Correctional Career Position (CCP) and Veteran's Liaison; revised definitions of Conviction, Full-Time Correctional Officer, Non-Correctional Employee, Reassignment, and Veteran's Employment Preference.
4. Section I.C: Added accreditation by the United States Department of Education.
5. Section I.D: Revised basic correctional officer (CO) eligibility criteria by adding that applicants on terminal leave from the military can apply within six months of eligibility.
6. Section I.G: Revised basic CO eligibility criteria language to include not being on community supervision.
7. Section I.K: Revised basic CO eligibility criteria to include not having an active restraining order that prohibits the applicant from possessing a firearm.
8. Section I.O: Added that a veteran of the armed forces is exempt from the written pre-employment test; however, a veteran applicant must still meet all other eligibility criteria.
9. Section II: Added instructions regarding the application process for COs.
10. Section III.A: Revised to disqualify an applicant who provides inadequate, false, or inaccurate information or documentation for employment consideration for any TDCJ position for a minimum period of one year from the date of the application for employment.
11. Section III.B: Deleted because the issue of disqualification was addressed by Section III.A.
12. Section III.C (now B): Revised language for consistency with Section III.A.
13. Section IV.A: Revised to include that veterans of the armed forces are exempt from pre-employment testing.
14. Section IV.B.1: Revised to include that CO recruiters will interview veterans of the armed forces.
15. Section IV.D: Added an order of priority listing if all factors taken into consideration are equal, and more than one applicant is eligible for veteran's employment preference.
16. Section VI.A.4: Added language that while applicants are attending pre-service, they will be required to pass a physical agility test.
17. Section IX: Reference to veteran's employment preference was removed.
18. Section X: Pursuant to changes resulting from SB 805, 84th Legislative Session, written complaints from applicants entitled to veteran's employment preference are now filed with the executive director.
19. Grammatical and formatting updates were made.

Remove the existing PD-73.

Insert the revised [PD-73](#).

If you have any questions regarding this update or need assistance concerning your Personnel Manual, please contact Kristy Jeter at (936) 437-4049 (Email User ID KJE3473).

PG: clh
Attachments